

## ***Memorandum***

**To:** Planning Commission Members  
**From:** Development Department  
**CC:** Honorable Members of City Council, Clerk of Council, City Departments  
**Date:** July 3, 2014  
**Re:** Staff Report for Burger King – Development Plan

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### **Item #1 – Wendy’s Restaurant – Development Plan**

**(PID #201406020024)**

**Application:** Development Plan  
**Location:** 1920 Stringtown Rd  
**Applicant:** George Schweitzer, Geo-Graphics Inc.  
**Zoning:** C-2  
**Use:** Restaurant

#### **Relevant Code Section(s):**

- 1135.12 Zoning Districts and Regulations – Non-Residential District Requirements
- 1136.05 Landscaping – Minimum Landscape Requirements
- 1136.09 Landscaping – Other Planting Requirements

#### **Project Summary:**

The applicant is proposing to redevelop the existing Wendy’s Restaurant located at 1920 Stringtown Road. Proposed improvements include razing and reconstructing the primary building along with completing other site improvements. The proposed structure will be 3,042 square feet, approximately 350 square feet larger than their existing building.

In addition to the proposed development plan, the applicant has submitted special use permit applications for the drive-thru and a proposed outdoor seating area along the front of the restaurant.

In accordance with section 1136.03 any new development or reconstruction exceeding 60% of the assessed valuation of the structure prior to the project shall be required to comply with all requirements of Chapter 1136 for the entire property. With the razing of the existing and construction of a new building this code section becomes effective. As such, proposed improvements and existing conditions were reviewed for compliance with Chapter 1136. Please note that Chapter 1136 outlines landscaping, screening and parking lot setback requirements.

### Site Plan

The redeveloped site will utilize the two existing curb cuts on Stringtown Road. A one-way drive varying in width circles the site, with a new drive aisle proposed between the structure and Stringtown Road to connect the two existing drives. The connection to the rear parking area will not be affected.

The applicant has also indicated that they have spoken to the property owner to the west (Dr. Stephen Kebe) about connecting to his parking lot to gain access to Gantz Road from Wendy's. Although an agreement has not been reached regarding the connection, the applicant has indicated they will share the approved plans to continue the negotiations. It is staff's opinion that a secondary point of ingress/egress should be established for the site and strongly recommends the applicant try to secure a cross-access agreement with the hotel property to the east if an agreement cannot be reached with Dr. Kebe.

### Building

The proposed new structure will be 3,042 square feet, approximately 350 square feet larger than the existing building. The new structure will be shifted to the north from the existing building footprint to create room for the installation of the front drive aisle. The new structure will be finished primarily in brick, with metal, EIFS and tile used as accent. The building will be 17'6" in height with a 22'9" red EIFS "blade wall." A note on the building elevations states that all rooftop mechanical units will be screened.

The dumpster will remain in its existing location; however the screening is proposed to be refinished to utilize brick to match the main structure. The applicant is requesting to use steel treadplate gates in place of stained wood gates. In order to be consistent with area development, stained wood gates should be utilized according to the city's details.

### Parking

A total of 56 parking spaces are proposed for the site, reduced from the existing 77 spaces. Even with this reduction the facility exceeds the required 40 parking spaces based on the square footage of the eating area (1,970 square feet).

The proposed development will eliminate the existing parking west of the structure to increase the landscape setback to 7'. The parking lot setback along the east property line is proposed to be increased from zero to 4.5'. Although both of the proposed setbacks are less than the required 10', staff is supportive of the proposed deviations, as the applicant has shown their willingness to eliminate excess parking to increase green space on the site.

Setbacks in the rear parking area are not proposed to be amended, although landscape islands are proposed to be installed at the ends of the center parking row. As it currently exists, the rear parking area north of the dumpster is paved within close proximity to both side (western and eastern) property lines without curbing. To accommodate perimeter landscaping, staff recommends removal of the 2 feet of asphalt along both eastern and western edges of the parking area. The loss of this existing pavement area could be recouped by narrowing the two drive-aisles from (approximately) 24' to 22'. In staff's opinion this reconfiguration could be accomplished without affecting the stall configuration or hindering vehicular movements while allowing for the code required landscaping.

### Landscaping

Section 1136.03 requires that any new development or reconstruction exceeding 60% of the assessed valuation of the structure shall be required to comply with all requirements of Chapter 1136 for the entire property. Landscaping is generally shown on the submitted site plan; however a landscape plan was not submitted showing details such as plant names, total quantities and size at installation. Other required

items, such as a note stating that all service structures will be screened and tree planting typical, were not included in plans. Landscape areas are shown on the site plan to the north and west of the building, but no details were provided for specific plants selected for these areas. Details were also not provided for landscaping around the base of proposed directional signage as well as the primary pylon sign.

### Lighting

Plan sheets state that all site lighting fixtures are to be decorative LED cutoff fixtures placed on existing poles on the site; however detailed cut sheets for the fixtures were not provided. No lighting fixtures are currently shown in the rear parking area. Proposed building lighting includes recessed lighting around the metal trim soffit, a roof-mounted light to illuminate the blade, and three roof-mounted flood lights in the rear of the structure. Staff is not supportive of the three roof-mounted flood lights (K-3) shown on sheets 5 (exterior elevations) and 13 (lighting and reflecting plan).

A photometric plan was not provided showing that all vehicular and pedestrian areas meet the 0.5 footcandle minimum.

### Signage

Wall signs are proposed on the south, west and east elevations. Additional lettering is proposed on the west and east elevations. Preview boards, menu boards, and directional signage are proposed on the site. The applicant has indicated in a response letter to staff that these boards and signs would have brick bases; however revised materials showing these bases were not submitted.

The existing highway sign is to be removed with the redevelopment of the site, but the applicant has requested that the 24' pylon sign along Stringtown Road remain with the sign panels updated and replaced. In order to be consistent with recently redeveloped sites, staff believes the pylon sign should be replaced with a monument sign with a brick base.

Because the property is located in a C-2 district, all proposed signage will be reviewed and approved by the Building Division through the sign permit process.

### **Recommendation(s):**

Staff has reviewed the enclosed plans and note the following deviations from the Codified Ordinances:

1. Reduction of the required side parking setbacks from 10' to 4.5' on the east and 7' on the west, for the parking area south of the dumpster.
2. Retention of the existing side parking setbacks for the parking area north of the dumpster enclosure.

After review and with the deviations noted above, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Development Plan with the following stipulations:

1. A minimum two foot side parking setback along with concrete curbing shall be provided in the rear parking area located north of the dumpster enclosure.
2. The pylon sign shall be replaced with a monument sign with a maximum height of ten feet above grade.
3. Dumpster gates shall be stained wood and installed per the city's details.

4. A landscape plan meeting requirements of Chapter 1136 shall be submitted for review and approval by the Urban Forester.
5. A photometric plan shall be submitted showing that all vehicular and pedestrian areas meet the required 0.5 footcandle minimum.
6. The three roof-mounted rear flood lights shall be removed from plans. All site and building lighting shall be decorative cut-off fixtures.
7. All ground mounted signs including preview boards, menu boards, and directional signage shall have brick bases to match the brick utilized on the primary structure and set in landscaped areas.
8. The applicant shall secure a cross-access easement with either the western or eastern property owner to provide a secondary means of ingress/egress to the site.